

September 07, 2022

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To

Hon. Armstrong Federal Court  
Northern District of California,  
Oakland, CA 94612

Sub: Evidence from the Contra Costa County Sheriff's Office, Dated, October 24, 2021  
proves Adult, 'E' used by FBI Cyber Squad Agent, Esposito in his two failed  
and defendant-rejected sting operations of June-July 2000; 18 USC §2422(b)

Ref: Case No: 01-CR-40144-SBA

The following enclosed new evidence was provided by Contra Costa County Sheriff's Office on October 24, 2021, proving FBI sting operation was conducted by 2016 discovered FBI Cyber Squad Agent Esposito during June-July 2000 at the Los Medanos Community College and the Park in the City of Pittsburg, CA. This evidence, in an email, from Contra Costa County Sheriff's Office, dated October 24, 2021, as provided from their records, states,

"Hello Mr. Dhingra,

I looked over your Coplogic report. It seems that you were involved in an FBI sting in 2000 that occurred on the campus of Los Medanos College and in a park in the City of Pittsburg. The Community College police took a report, which you referenced. If you have a complaint about the incident, you will have to contact the parties involved, namely the FBI and/or the Community College Police. You may also contact the District Attorney's office should you choose".

As previously suspected by defendant during the yearlong case proceedings and jury trial, 2001-2002, Defendant had claimed and advised defense attorney, of having enticed an adult for legal adult companionship. With the above new evidence on October 24, 2021, from Contra Costa County Sheriff's records, and the 2016 discovery of BI Cyber Squad, this suspicion has been proven true.

See Court ruling, 01-cr-40144-SBA, Dkt. 160, p. 6 that states,  
*"In a pretrial interview, Petitioner told Agent Esposito that he "suspected [E] might be a law enforcement officer." R.T. at 407; see also Decl. ¶ 18 ("At the meeting [on July 10, 2000], I determined that [E] was an adult."). He also advised trial counsel that he believed 'E' was an adult".*

The above referenced sting operation by FBI Cyber Squad Agent had failed because Defendant had refused to meet with 'E', presumed for sexual activity, in violation of 18 USC §2422(b), at two separate occasions, namely, at the Los Medanos College and the park at the city of Pittsburg, CA.

See the undisputed evidence of testimony provided by "E" during the jury trial, R.T. 475, and 01-cr-40144-SBA, Dkt. 154, Exhibit L, "Eliina - Direct / Stretch", Nicole M. Rodich, CSR, RPR, Official Reporter, U.S. District Court:

Q: Whether there was any type of sexual discussion in those?

A: There wasn't.

Q: Did you have any discussion online about getting together in person?

A: Yes.

Q: Okay. Was there more than one meeting set up?

A: Yes.

Q: Okay. Do you recall what the first one was?

A: At the College. In the Study Hall.

Q: Were you there?

A: Yes.

Q: Okay. To your knowledge, do you know if the defendant was there?

A: He wasn't.

Q: Okay, was there another meeting setup?

A: Yes.

Q: Where was that to be?

A: In Pittsburg.

Q: Okay, and did you meet him there?

A: No

Q: When was that?

A: I can't remember the exact date?

Q: Okay, did you go to the place you were supposed to meet?

A: Yes, that's where I was spending the day.

The above testimony by "E" proves that defendant had twice refused to meet with 'E' and that exactly matches with the above new evidence of FBI sting operation provided by Contra Costa County Sheriff stated from its records,

"... you were involved in an FBI sting in 2000 that occurred on the campus of Los Medanos College and in a park in the City of Pittsburg".

The evidence that an adult decoy was used by FBI Cyber Squad in the sting operation, as its standard procedure, and alleged several times by the defendant in the "Error Coram Nobis" dismissed petitions or the dismissed *heck*-barred civil cases prior to 2019 against the FBI Agent, Esposito, directly proves the erroneous trial court's ruling that states,

*"there is no evidence to support this fiction"*, October 13, 2020, Case No: 01-cr-40144-SBA, Dkt. 179, at 4 (emphasis omitted).

The FBI Cyber Squad sting evidence had been hidden from this Court during the trial court's proceedings by FBI Agent, Esposito, a perjury by omission, including further perjury that a real minor, under 18 years of age was involved online with the defendant for either sexual chat or for sexually prohibited conduct in violation of 18 USC §2422(b).

Agent Esposito had a motive of providing the above disinformation to this Court and the trial jury assembled to determine the outcome of this case. This falsehood was undertaken and provided to this Court to conform to the violation alleged in the indictment without an attempt clause and in violation of 18 USC §2422(b). The attempt clause was foreclosed with the two refusals to meet with 'E', representing the failure of the FBI Cyber Squad sting operation.

This letter to the trial court is proof of sufficient evidence of misconduct by the FBI Agent during the proceedings and the jury trial of this case including recent defendant's pleadings, after the "FBI Cyber Squad evidence" was discovered in 2016. The above new evidence also presents with the reasoning that Agent, Esposito contrived the FBI Cyber Squad decoy, "E" as a minor in the Court to conform to the violation in the indictment, *See* Case No: 01-cr-40144-SBA, Dkt.1.

The defendant is respectfully looking for the course of direction from this Court to correct the injustice against defendant, that occurred exactly two decades ago in this trial court.

Respectfully submitted,

Dated: September 07, 2022

/s/ Rakesh Dhingra  
RAKESH DHINGRA

Enc: Evidence of FBI Sting

Cc: Civil case no: 22-cv-02207-CRB



R D <rakeshdh@gmail.com>

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## Your Online Police Report T21001720 Has Been Rejected

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**Laurie Bailey** <lbail@so.cccounty.us>  
To: rakeshdh <rakeshdh@gmail.com>

Sun, Oct 24, 2021 at 12:36 PM

Hello Mr. Dhingra,

I looked over your Coplogic report. It seems that you were involved in an FBI sting in 2000 that occurred on the campus of Los Medanos College and in a park in the City of Pittsburg. The Community College police took a report, which you referenced. If you have a complaint about the incident, you will have to contact the parties involved, namely the FBI and/or the Community College Police. You may also contact the District Attorney's office should you choose. The Contra Costa Sheriff's Office is not involved in this incident in any way.

Sgt. Laurie Bailey

[Quoted text hidden]